



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:lc  
Docket No: 5043-00  
1 August 2000

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Ref: (a) Title 10 U.S.C. 1552  
(b) JFTR, Vol 1, para U5130.B4  
(c) JFTR, Vol 1, para U5365.F

Encl: (1) DD Form 149 w/attachments  
(2) Series of Documents  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show entitlement for travel of dependents and to ship household goods (HHGs) at government expense using the orders which transferred him to the Retired List effective 30 September 1998 was extended under the provisions of references (b) and (c) respectively.

2. The Board, consisting of Messrs. Kastner, Neuschafer, and Taylor, reviewed Petitioner's allegations of error and injustice on 1 August 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. After reviewing the correspondence attached as enclosure (2), the Board concluded that the request has merit and warrants favorable action.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:


That Petitioner's naval record be corrected, where appropriate, to show that:

a. On 16 August 1999 Petitioner applied to the appropriate naval authorities to extend the authority for travel of dependents under the provision of reference (b) and to ship HHGs at government expense under the provisions of reference (c) and on 18 August 1999 his request was approved by the appropriate naval authorities and entitlement was extended for a period of 12 months. Authority for travel of Petitioner and his dependents and authority to ship HHGs at government expense under the authority which transferred him to the Retired List will expire on 30 September 2000. No other entitlements were addressed.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

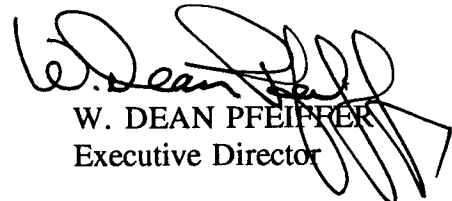
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
G. L. ADAMS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

1 August 2000

  
W. DEAN PFEIFFER  
Executive Director